

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS
WACO DIVISION

UNITED STATES OF AMERICA	§	
	§	
vs.	§	NO: WA:23-CR-00174(1)-ADA
	§	
(1) LAMARCUS JERMAINE PARRISH	§	

ORDER ACCEPTING REPORT AND RECOMMENDATION .
OF THE UNITED STATES MAGISTRATE JUDGE

Before the court is the above styled and numbered cause. On April 30, 2024 the United States Probation Office filed a Petition For Warrant or Summons For Offender Under Supervision for Defendant (1) LAMARCUS JERMAINE PARRISH, which alleged that Parrish violated a condition of his supervised release and recommended that Parrish 's supervised release be revoked (Clerk's Document No. 2). A warrant issued and Parrish was arrested. On June 3, 2024, Parrish appeared before a United States Magistrate Judge, was ordered detained, and a revocation of supervised release hearing was set..

Parrish appeared before the magistrate judge on June 11, 2024, waived his right to a preliminary hearing and to be present before the United States District Judge at the time of modification of sentence, and consented to allocution before the magistrate judge. Following the hearing, the magistrate judge signed his report and recommendation on June 11, 2024, which provides that having carefully considered all of the arguments and evidence presented by the Government and Defendant, based on the original offense and

the intervening conduct of Parrish, the magistrate judge recommends that this court continue Parrish supervised release. The magistrate judge recommends the additional following special conditions:

1. The defendant shall submit his or her person, property, house, residence, vehicle, papers, computers (as defined in 18 U.S.C. § 1030(e)(1)), other electronic communications or data storage devices or media, or office, to a search conducted by a United States probation officer. Failure to submit to a search may be grounds for revocation of release. The defendant shall warn any other occupants that the premises may be subject to searches pursuant to this condition. The probation officer may conduct a search under this condition only when reasonable suspicion exists that the defendant has violated a condition of supervision and that the areas to be searched contain evidence of this violation. Any search shall be conducted at a reasonable time and in a reasonable manner.

2. The defendant shall be subjected to active Global Positioning System (GPS) monitoring for a term of 180 days, which shall be utilized for purposes of verifying compliance with any court-imposed condition of supervised release in this case. The defendant shall pay for the costs of the program if financially able.

3. The defendant will be placed on curfew and shall remain at the place of residence from 10:00 PM until 7:00 AM, the times of which may be modified as necessary to accommodate Defendant's employment schedule. Defendant is required to seek the

permission and approval of Defendant's Probation Officer to modify the curfew. (Clerk's Document No. 13).

A party may serve and file specific, written objections to the proposed findings and recommendations of a magistrate judge within fourteen days after being served with a copy of the report and recommendation, and thereby secure a *de novo* review by the district court. *See* 28 U.S.C. § 636(b); Fed. R. Civ. P. 72(b). A party's failure to timely file written objections to the proposed findings, conclusions, and recommendation in a report and recommendation bars that party, except upon grounds of plain error, from attacking on appeal the unobjected-to proposed factual findings and legal conclusions accepted by the district court. *Douglass v. United Services Auto Ass'n*, 79 F.3d 1415 (5th Cir. 1996) (*en bane*). The parties in this cause were properly notified of the consequences of a failure to file objections.

On June 11, 2024, following the hearing on the motion to revoke supervised release, all parties signed a Waiver Of Fourteen Day Rule For Filing Objections To Report and Recommendation Of United States Magistrate Judge (Clerk's Document No. 11). The court, having reviewed the entire record and finding no plain error, accepts and adopts the report and recommendation filed in this cause.

IT IS THEREFORE ORDERED that the Report and Recommendation of the United States Magistrate Judge filed in this cause (Clerk's Document No. 13) is hereby **ACCEPTED AND ADOPTED** by this court.

IT IS FURTHER ORDERED that Defendant (1) LAMARCUS JERMAINE PARRISH's term of supervised release is hereby CONTINUED. In addition, defendant Parrish shall comply with the following special conditions:

1. The defendant shall submit his or her person, property, house, residence, vehicle, papers, computers (as defined in 18 U.S.C. § 1030(e)(1)), other electronic communications or data storage devices or media, or office, to a search conducted by a United States probation officer. Failure to submit to a search may be grounds for revocation of release. The defendant shall warn any other occupants that the premises may be subject to searches pursuant to this condition. The probation officer may conduct a search under this condition only when reasonable suspicion exists that the defendant has violated a condition of supervision and that the areas to be searched contain evidence of this violation. Any search shall be conducted at a reasonable time and in a reasonable manner.


2. The defendant shall be subjected to active Global Positioning System (GPS) monitoring for a term of 180 days, which shall be utilized for purposes of verifying compliance with any court-imposed condition of supervised release in this case. The defendant shall pay for the costs of the program if financially able.

3. The defendant will be placed on curfew and shall remain at the place of residence from 10:00 PM until 7:00 AM, the times of which may be modified as necessary to accommodate Defendant's employment schedule. Defendant is required to

seek the permission and approval of Defendant's Probation Officer to modify the curfew.

IT IS FURTHER ORDERED that all prior conditions of supervised release are reimposed.

Signed this 13th day of June, 2024.



ALAN D ALBRIGHT
UNITED STATES DISTRICT JUDGE